

**United States District Court**  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

LBS INNOVATIONS LLC

v.

AARON BROTHERS, INC., ET AL.

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Case No. 2:11-cv-142

**ORDER ON LETTER BRIEFS**

Pursuant to the Court's Docket Control Order (Doc. No. 120), the parties must obtain leave of Court before filing any summary judgment motions, *Daubert* motions, or motions to strike expert testimony. As such, Defendants have filed letter briefs seeking leave to file summary judgment motions on a variety of issues. The Court makes the following rulings on Defendants' pending requests:

- Defendants Whole Foods Market, Inc. and Comerica Inc.'s request for leave to file a motion for summary judgment of noninfringement (Doc. No. 201) is **GRANTED**.
- Defendant Rug Doctor, Inc.'s request for leave to file a motion for summary judgment of noninfringement (Doc. No. 212) is **GRANTED**.
- Defendants Whole Foods Market, Inc. and Comerica Inc.'s request for leave to file a motion for summary judgment of invalidity (Doc. No. 213) is **DENIED**.

In filing any motions, Defendants are to adhere to the strict page limitations proscribed by the Local Rules. See [Local Rule CV-7\(a\)\(3\)](#).

**It is SO ORDERED.**

**SIGNED this 27th day of June, 2012.**



MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE